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Otto Trucking LLC  
11

12 **UNITED STATES DISTRICT COURT**  
13 **NORTHERN DISTRICT OF CALIFORNIA**  
14 **SAN FRANCISCO DIVISION**

15 WAYMO LLC,  
16 Plaintiff,  
17 v.  
18 UBER TECHNOLOGIES, INC.;  
19 OTTOMOTTO LLC; OTTO TRUCKING  
LLC,  
20 Defendants.  
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Case No. 3:17-cv-00939-WHA

**DEFENDANT OTTO TRUCKING LLC'S  
STATEMENT REGARDING ORDER  
REQUIRING LISTS OF OPINIONS FOR  
CASES-IN-CHIEF AT TRIAL (DKT. NOS.  
669, 697)**

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**DEFENDANT OTTO TRUCKING LLC'S STATEMENT REGARDING ORDER REQUIRING  
LISTS OF OPINIONS FOR CASES-IN-CHIEF AT TRIAL (DKT. NOS. 669, 697)**

Case No. 3:17-cv-00939-WHA

Pursuant to the Court's Order Requiring Lists of Opinions for Cases-in-Chief at Trial dated June 21, 2017, (Dkt. No. 669), and Notice and Supplement to Order Requiring Lists of Opinions for Cases-in-Chief at Trial dated June 22, 2017, (Dkt. No. 697), Defendant Otto Trucking LLC ("Otto Trucking") respectfully submits the following statement.

Otto Trucking submits this statement based on information that is reasonably available to it at this time and at this stage of the proceedings. Because discovery is still underway, the individuals identified herein are not necessarily exhaustive of whom Otto Trucking may identify to offer opinion testimony as discovery progresses. As additional information becomes available, Otto Trucking reserves the right to supplement this statement.

Otto Trucking hereby identifies the following list of witnesses who it expects to give opinion testimony in its case-in-chief at trial:

Expert	Opinion
Retained Otto Trucking Expert No. 1	This expert will offer opinion testimony regarding digital forensics. Specifically, this expert will provide opinion testimony including, but not limited to: procedures, guidelines, and protocol customary in the industry regarding digital forensic investigations and analyses; technical specifications, design, and maintenance of networks or servers such as SVN servers; software such as Tortoise SVN used to access such networks or servers; and hardware or other devices used to access such networks or servers. Otto Trucking reserves the right to retain more than one expert to testify on different aspects of these technologies.
Retained Otto Trucking	This expert will offer opinion testimony regarding the application of

1 2 3 4 5 6 7	Expert No. 2	LiDAR technologies used by Plaintiff on the one hand, and by Defendants on the other. Specifically, this expert will provide opinion testimony that, for each of the foregoing LiDAR applications, includes but is not limited to: differences in technical specifications; design; assembly; installation; maintenance; and technological capabilities and limitations.
8 9 10 11 12 13 14 15	Retained Otto Trucking Expert No. 3	This expert will offer opinion testimony regarding applicable technologies for self-driving passenger vehicles on the one hand, and self-driving commercial vehicles on the other. Specifically, this expert will provide opinion testimony that, for each of the self-driving applications, includes but is not limited to: differences in technical specifications; design; assembly; installation; maintenance; and technological capabilities and limitations.
16 17 18 19 20 21 22 23 24 25 26	Retained Otto Trucking Expert No. 4	This expert will offer opinion testimony regarding differences in economic market applications of self-driving passenger vehicles on the one hand, and self-driving commercial vehicles on the other. Specifically, this expert will provide opinion testimony that, for each of the self-driving applications, includes but is not limited to: identifying market valuation; projected market share; market segmentation; route-to-market analyses; industry forecasting; product scalability; competitor analysis; profits; and opinion regarding the effect of automation on transportation and logistics industries.
27	Retained Otto Trucking	This expert will offer opinion testimony regarding damages. To date,

Expert No. 5	<p>Plaintiff has not indicated what damages theories it intends to pursue.</p> <p>However, Otto Trucking anticipates the following subjects for which this expert may provide opinion testimony, based on Plaintiff's Supplemental Initial Disclosures served on June 21, 2017: "damages based on a calculation of lost profits or an amount no less than a reasonable royalty" including "estimates of future profits and cash flows; its assessments and projections regarding the relevant markets, competition therein, and its competitive position; and its investment in LiDAR technology (in time, capital, engineering costs, and other expenditures)"; "accounting of all sales and revenues, together with pre-judgment and post-judgment interest"; and "enhanced damages for Defendants' willful and malicious conduct in misappropriating Waymo's trade secrets, punitive damages, and other relief including but not limited to disgorgement of profits from unjust enrichment."</p>
Otto Trucking Witness No. 6	<p>This witness is an engineer who will provide testimony that depends on his or her scientific, technical, or other specialized knowledge.</p> <p>Specifically, this individual will provide testimony pertaining to the use of LiDAR technologies by Defendants, the development of such technologies, aspects of LiDAR design, specifications, implementation, and limitations.</p>
Otto Trucking Witness No. 7	<p>This witness is an engineer who will provide testimony that depends on his or her scientific, technical, or other specialized knowledge.</p> <p>Specifically, this individual will provide testimony pertaining to the use of LiDAR technologies by Defendants, the development of such</p>

	technologies, aspects of LiDAR design, specifications, implementation, and limitations.
Otto Trucking Witness No. 8	This individual is a technical expert who will provide testimony that depends on his or her scientific, technical, or other specialized knowledge. Specifically, this individual will provide testimony pertaining to LiDAR technologies requested by, contracted with, and supplied to Defendants by Velodyne LiDAR. This individual's testimony will include statements regarding negotiations, discussion, deliberations, and contracts regarding LiDAR technology. Further, this individual's testimony will include statements regarding aspects of LiDAR design, specifications, implementation, and limitations.

Dated: June 29, 2017

Respectfully submitted,

By: /s/ Neel Chatterjee

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**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Northern District of California by using the CM/ECF system on **June 29, 2017**. I further certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I certify under penalty of perjury that the foregoing is true and correct.

Executed **June 29, 2017**.

/s/ Neel Chatterjee  
NEEL CHATTERJEE